

(2) the owner furnishes the motor vehicle to the physically disabled person for the exclusive use of that person in the course of employment.

Presented to the governor March 25, 1999

Signed by the governor March 29, 1999, 3:48 p.m.

CHAPTER 26—S.F.No. 407

An act relating to capital investment; amending a grant to the McLeod West school district No. 2887; amending Laws 1998, chapter 404, section 5, subdivision 11.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1998, chapter 404, section 5, subdivision 11, is amended to read:

Subd. 11. McLeod West Interdistrict
Cooperative School District No. 2887 500,000

For a grant to the McLeod West ~~Interdistrict Cooperative~~, made up of independent school district Nos. 421, Brownton, and 426, Stewart school district No. 2887, to design and acquire land for a new ~~prekindergarten through grade 7~~ through 12 educational facility.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor March 25, 1999

Signed by the governor March 29, 1999, 3:49 p.m.

CHAPTER 27—S.F.No. 609

VETOED

CHAPTER 28—S.F.No. 99

An act relating to crime; requiring offenders convicted for failure to appear after release to pay costs incurred by the prosecuting authority or governmental agency due to the failure to appear; amending Minnesota Statutes 1998, section 609.49, subdivisions 1, 2, and by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1998, section 609.49, subdivision 1, is amended to read:

Subdivision 1. **FELONY OFFENDERS.** (a) A person charged with or convicted of a felony and released from custody, with or without bail or recognizance, ~~on condition~~

New language is indicated by underline, deletions by ~~strikeout~~.

that the releasee personally appear when required with respect to the charge or conviction, who intentionally fails to appear when required after having been notified that a failure to appear for a court appearance is a criminal offense, or after having been released on an order or condition that the releasee personally appear when required with respect to the charge or conviction, is guilty of a crime for failure to appear and may be sentenced to not more than one-half of the maximum term of imprisonment or fine, or both, provided for the underlying crime for which the person failed to appear, but this maximum sentence shall, in no case, be less than a term of imprisonment of one year and one day or a fine of \$1,500, or both.

(b) A felony charge under this subdivision may be filed upon the person's nonappearance. However, the charge must be dismissed if the person who fails to appear voluntarily surrenders within 48 hours after the time required for appearance. This paragraph does not apply if the offender appears as a result of being apprehended by law enforcement authorities.

Sec. 2. Minnesota Statutes 1998, section 609.49, subdivision 2, is amended to read:

Subd. 2. **GROSS MISDEMEANOR AND MISDEMEANOR OFFENDERS.** A person charged with a gross misdemeanor or misdemeanor who intentionally fails to appear in court for trial on the charge after having been notified that a failure to appear for a court appearance is a criminal offense, or after having been released on an order or condition that the releasee personally appear for trial when required with respect to the charge, is guilty of a misdemeanor.

Sec. 3. Minnesota Statutes 1998, section 609.49, is amended by adding a subdivision to read:

Subd. 5. **REIMBURSEMENT FOR COSTS.** Upon conviction of a defendant for a violation of subdivision 1 or 2, the court may order as part of the sentence that the defendant pay the costs incurred by the prosecuting authority or governmental agency due to the defendant's failure to appear. The court may order this payment in addition to any other penalty authorized by law which it may impose. A defendant shall pay the entire amount of any restitution ordered and fine imposed before paying costs ordered under this subdivision. The order for payment of these costs may be enforced in the same manner as the sentence, or by execution against property. When collected, the costs must be paid into the treasury of the county of conviction.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective August 1, 1999, and apply to crimes committed on or after that date.

Presented to the governor March 29, 1999

Signed by the governor April 1, 1999, 1:32 p.m.

New language is indicated by underline, deletions by ~~strikeout~~.